

Florence, New Jersey 08518-2323  
September 28, 2021

The regular meeting of the Florence Township Planning Board was held in-person and virtually via Zoom on the above date at the Municipal Complex, 711 Broad Street, Florence, NJ. Chairman Montgomery called the meeting to order at 7:40 p.m. followed by a salute to the flag.

Secretary Mattson read the following statement: "I would like to announce that this meeting is being held in accordance with the provisions of the Open Public Meetings Act. Adequate notice has been provided to the official newspapers and posted in the main hall of the Municipal Complex."

Upon roll call the following members were found to be present:

Emma Cartier	Councilman Bruce Garganio
Carl Mattson	Ray Montgomery
John Pagano	Mayor Craig Wilkie

ABSENT: Newell Kehr, Tara Sandusky

ALSO PRESENT: Solicitor David Frank  
Planner Barbara Fegley  
Engineer Ted Wilkinson (arrived 7:46 PM)

#### RESOLUTIONS

There were no resolutions.

#### MINUTES

- A. Special Meeting of August 9, 2021
- B. Regular Meeting of August 24, 2021

It was the Motion of Councilman Garganio, seconded by Mr. Mattson to adopt the minutes of the Special Meeting of August 9, 2021 and the Regular Meeting of August 24, 2021. Motion unanimously approved by all members present. Chairman Montgomery abstained from voting on the Regular Meeting minutes of August 24, 2021.

#### CORRESPONDENCE

There were no items of correspondence.

#### APPLICATIONS

- A. PB#2021-04: Application from Palash Saha & Gopal Das for a Minor Subdivision with Bulk Variances on property located at 754 Olive Street, Florence Township; Block 147.14, Lot 16.04.

Mayor Wilkie stated that he is not in favor of carrying the application due to the fact that residents were at last month's meeting to express their concerns, and also that the applicant's letter of request states they hope to have plans submitted for the 10/26/21 meeting. Discussion took place as to if the Board should require the applicant to renotece.

Solicitor Frank stated that given this application is deficient because of no survey, it is not unreasonable to ask the applicant to renotece because of their need to submit plans prior to being

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able to be heard. This application was never found complete, so it was never opened by the Board. It is possible to carry the application, but to require the applicant to send further notice. Mr. Singer, the applicant's attorney, was present and stated that he has no objection to sending new notices and republishing the notice.

It was the Motion of Mayor Wilkie, seconded by Vice Chair Pagano to carry application PB#2021-04 to the 10/26/21 meeting with further notice being required. Solicitor Frank mentioned that the Motion is subject to the consent of the applicant to the extension of time for the Board to hear the application. Mr. Singer stated that he consents to the extension of time.

Upon roll call, the Board voted as follows:

YEAS: Wilkie, Pagano, Cartier, Garganio, Mattson, Montgomery

NOES: None

ABSTAIN: None

Motion carried

B. PB#2021-02: Application from Wawa, Inc. for Minor Site Plan Approval to sell diesel fuel and install an underground storage tank for diesel fuel on property located at 2060 Route 130, Florence Township; Block 163.02, lot 13.

Discussion took place as to if the applicant should be required to renounce because this application was submitted in May.

Solicitor Frank stated the applicant originally requested to be placed on the July agenda; however, because of the full agenda, the application was placed on the August agenda. The applicant did not public notice for the August meeting and requested the September meeting. The applicant did send and publish their notice on 9/16/21 for this meeting. He stated it is fairly common to adjourn a hearing for a month or two and not require further notice; however, it certainly is within the Board's power to require further notice.

Solicitor Frank explained he has spoken with the applicant's attorney and suspects the request to now be heard at the October meeting is that their traffic expert would like to provide some proofs on how they will handle the diesel pumps and that the applicant is trying to provide that information.

It was the Motion of Mr. Mattson, seconded by Vice Chair Pagano to carry application PB#2021-02 to the 10/26/21 meeting with further notice being required. Solicitor Frank mentioned that the Motion is subject to the consent of the applicant to the extension of time for the Board to hear the application.

Upon roll call, the Board voted as follows:

YEAS: Mattson, Pagano, Cartier, Garganio, Wilkie, Montgomery

NOES: None

ABSTAIN: None

Motion carried

Engineer Wilkinson joined the meeting.

C. PB#2021-05: Application from Anthony & Amy Restuccio for a Minor Subdivision with Bulk Variances on property located at 716 Hamilton Avenue, Florence Township; Block 106, Lots 3 & 4.

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Jonas Singer of Welles and Singer came forward on behalf of the applicant. Mr. Singer stated this minor subdivision application is basically a change of lot line. The applicant owns Lot 4 and with this change, Lot 4 will become more in form with the township ordinances; however, there will still remain pre-existing variances. The application is seeking to obtain additional property from the owner of Lot 3, Maria Tomasi.

Mr. Singer stated the following:

- Lot 3 is currently 22,500 sq ft and will be reduced to 16,950 sq ft. Lot 4 is currently 7,500 sq ft and will be increased to 13,050 sq ft; 10,000 sq ft is the minimum required.
- Lot 3's width will still conform. Lot 4's lot width will increase from 50' to 87'. The required width is 100' minimum.
- Lot 3's impervious coverage is currently at 17.89% and will increase to 23.17%. Lot 4 will decrease from 73.35% to 44.05%. Maximum lot coverage allowed is 20% for principal structure and driveway plus an additional 5% for accessory structures to total 25%.
- There will be no change to the existing front yard setbacks. Lot 3 will remain at 14.6', which is a pre-existing non-conformance, and Lot 4 will remain at 34.1, which does comply with the required 25' minimum.
- Lot 3's side yard setback will be reduced from 54' to 16.4 and Lot 4's will increase to 12.1'. Required side yard setback is 15' each.
- This will not create any new lots; Lot 4 will be better conforming to township ordinances and will be closer in size to Lot 3.

Engineer Wilkinson stated his review letter is dated 8/9/21. He had one comment regarding the dedication of lands off of Lot 3. He stated that since it is a corner lot and if the township wanted to put sidewalks in the future, there wouldn't be enough land to do this. If the township plans to eventually put sidewalks in, he is suggesting the corner area needed for those sidewalks and ADA compliance be dedicated to the township. Mr. Singer stated he sees no reason why this should be done since they are not creating a new lot, just moving a lot line. Mayor Wilkie wondered if the applicant should be putting the sidewalks in or if the township would put them in when installing curbing.

Planner Fegley stated her review letter is dated 8/11/21. On page 3, #3, she asked about the encroachment of the wood curb into the alley. Lot 3 has wood curb which extends into the right of way and asked Mr. Singer what will be done about the encroachment. Mr. Singer stated it is existing and not part of the lot line change. Planner Fegley stated that it is surrounding a stone driveway that is used for parking.

Anthony Restuccio was sworn in by Mr. Frank. Mr. Restuccio stated it is a curbing that was put in to make the alleyway look nicer. There is wood curbing and stone and can be moved if required. Councilman Garganio asked if in the long term, it would be better off to be done so there'll be no issues if the property is ever sold. Mayor Wilkie pointed out that Planner Fegley also comments about the vinyl fencing on Lot 4 encroaching too. Mr. Restuccio stated he did not realize that it was and it was not done intentionally. He stated he will move the fence if he has to.

In answer to Engineer Wilkinson's suggestion, Mr. Singer stated he cannot agree to give the right of way on the corner of Hamilton and 7<sup>th</sup>.

Solicitor Frank stated our ordinance 91-74 explains the requirements for sidewalks to be installed as part of projects. We have required it with other subdivisions. It would be a kindness of the board to require land for sidewalks rather than require the applicant to install sidewalks. Mr.

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Singer stated he cannot speak for the owner of Lot 3, Ms. Tomasi and cannot agree to this tonight. He stated he can speak with her and submit a letter to the Board. Councilman Garganio asked if the Board can make that a condition and still approve the application. Solicitor Frank stated yes; however, if there is no agreement by Ms. Tomasi, Mr. Restuccio would have to come back to the Board regarding installation of sidewalks.

Motion was made and seconded to open the meeting for public comment on any item. Motion unanimously approved by all members present.

The Zoom moderator confirmed that those attending virtually have not been muted by us nor was anyone raising their hand. There were no members of the public attending in person.

Hearing no one wishing to speak, Motion was made and seconded to close public comment. Motion unanimously approved by all members present.

It was the Motion of Councilman Garganio, seconded by Mr. Pagano to approve application PB#2021-05 with the conditions to relocate the wood curb and stone and to receive a letter from Mr. Singer regarding Lot 3's dedication of lands for sidewalks .

Upon roll call, the Board voted as follows:

YEAS: Garganio, Pagano, Cartier, Mattson, Wilkie, Montgomery

NOES: None

ABSTAIN: None

Motion carried

#### OTHER BUSINESS

There was no other business discussed

#### PUBLIC COMMENTS

It was the Motion of Councilman Garganio, seconded by Mr. Mattson to open the meeting for public comment on any item. Motion unanimously approved by all members present.

The Zoom moderator confirmed that those attending virtually have not been muted by us nor was anyone raising their hand. There were no members of the public attending in person.

Hearing no one wishing to speak, it was the Motion of Mr. Mattson, seconded by Vice Chair Pagano to close public comment. Motion unanimously approved by all members present.

#### MASTER PLAN REVIEW/DISCUSSION

There was no Master Plan discussion.

#### ADJOURNMENT

It was the Motion of Councilman Garganio, seconded by Vice Chair Pagano to adjourn the meeting at 8:11 p.m. Motion unanimously approved by all those present.

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Carl Mattson, Secretary

CM/kf